

I. REMARKS

A. Status of the Claims

Claims 1-2, 5-16, 18-20, 25-30, 35-36 and 49-53 are pending in the Application.

Claims 3-4, 17, 21-24, 31-34 and 37-48 have been cancelled.

New Claims 54-56 are added herein.

Claims 1, 14, 16, 18 and 20 are amended to make it clear that the liquid solution contains the biologically compatible polymer dissolved in the liquid and it is the liquid solution that is sprayed from the outlet. As discussed in paragraph [0018] and [0033] to [0040] of the specification, the liquid solution is sprayed using an electrohydrodynamic means to produce fibers containing a surface charge which are attracted to a grounded surface.

Claims 1, 14, 16, 18 and 20 have been amended to make it clear that the biologically compatible polymers used in the invention are not electrically conductive.

New Claim 54 is directed to a specific embodiment of the invention where the polymer is a “melt”; that is, the polymer is heated until it becomes a liquid (usually somewhat viscous) and then sprayed from the outlet. Support for this amendment is found in claim 24 as originally filed and in paragraph [0009] of the specification.

Applicant’s attorney has made a good faith effort to ensure that the amendments to the claims have been properly “marked” using the currently recommended format. Any errors which may have occurred are inadvertent and Applicant’s attorney will make every effort to correct any such non-substantive inadvertent errors.

B. Petition for Extension of Time

Accompanying this Preliminary Amendment is a Petition for Extension of Time (PTO/SB/22) for a 3-month extension of time as well as the required fee.

Examiner has previously asserted that Claim 18 is indefinite since the recitation, “... resulting cells have a morphology resembling nerve cells” is confusing. This language is fully supported by Example 3, **Fig. 11** and **12** and paragraphs [0113] – [0115] of the Applicant’s

specification and in particular, in paragraph [0115]. It is respectfully asserted that Claim 18 is fully supported by the specification as originally filed.

C. Declaration of Dr. James Dvorsky

Included with this Preliminary Amendment is the Declaration of James Dvorsky, Ph.D. wherein Dr. Dvorsky discusses and distinguishes certain of the teachings of the Shastri *et al* reference (US 6,095,148) cited against Applicant's claimed invention.

It is respectfully asserted that based on Applicant's previous arguments made in the Response filed 09/11/2009 taken with the information in the Declaration of Dr. Dvorsky, Examiner's rejections of Applicant's claims have been overcome and the claims are in condition for allowance.

If there are any questions regarding these amendments and remarks, Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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